

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION

Manuel Mendez Moha as Personal)	
Representative of the Estate of Santiago)	C/A No.:
Mendez Moha, Deceased,)	
)	
Plaintiff,)	
)	
v.)	NOTICE OF REMOVAL
)	
Valley Proteins, Inc.,)	
)	
Defendant.)	

TO: THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA, GREENWOOD DIVISION:

The Petitioner, Defendant Valley Proteins, Inc., by and through its undersigned counsel,
respectfully shows this Court that:

1. Petitioner, Valley Proteins, Inc. (hereinafter “Petitioner” and/or “Defendant”), is the
Defendant in the above-entitled action. Petitioner is an entity, and at all times relevant to the
Plaintiff’s Complaint, was domiciled in and existing under the laws of the State of Virginia.

2. Manuel Mendez Moha, as Personal Representative of the Estate of Santiago
Mendez Moha, is the Plaintiff in the case, and, upon information and belief, is a citizen and resident
of the State of South Carolina, as alleged in Plaintiff’s Complaint. Therefore, all of the parties to
this action are diverse.

3. On or about November 4, 2021, the above-entitled action was filed in the Saluda
County Court of Common Pleas as case number 2021-CP-41-00187.

4. Upon information and belief, Petitioner/Defendant was served with the Summons
and Complaint in this action on November 15, 2021. Upon information and belief, the Complaint

was the first and only pleading in this matter served upon Petitioner/Defendant. No Answer or other responsive pleading has yet been filed in the case. The above-entitled action is an alleged negligence and wrongful death action involving an automobile collision between non-party Derek Padget Stoudemayer (who is alleged to be an employee and agent of Petitioner/Defendant) and the decedent Santiago Mendez Moha, a pedestrian, on or about November 20, 2018, in Lexington County, South Carolina.

5. In the Complaint, the Plaintiff's prayer for relief was left open. The undersigned counsel for Petitioner/Defendant has requested clarification from Plaintiff's counsel as to whether Plaintiff's claim for damages in this action will or will not be less than \$75,000. To date, Plaintiff's counsel has not provided a response to this issue. The undersigned counsel for Petitioner/Defendant is informed and believes that Plaintiff's claim for damages may exceed \$75,000 given the factual allegations contained within Plaintiff's Complaint, but does not know for sure at this time.

6. The parties to this action are diverse and a verdict in the case may be in excess of \$75,000 based upon the information and belief of the undersigned counsel. Therefore, this Court has jurisdiction pursuant to 28 U.S.C. § 1332, and this case is eligible for removal pursuant to 28 U.S.C. § 1441. This Notice of Removal is timely because it is filed within 30 days of service on Petitioner/Defendant.

7. Pursuant to Local Rule 3.01, D.S.C., this action is being removed to the division of this District where the corporation/other organization Defendant is alleged to have done business relating to the events or omissions alleged in Plaintiff's Complaint.

8. Copies of all state court pleadings served on Petitioner/Defendant and filed with the Saluda County Clerk of Court to date are attached as Exhibit A. The Clerk of Court for Saluda

County, South Carolina, is being provided with a copy of this Notice of Removal contemporaneously with this filing, and Petitioner/Defendant is serving a copy of this Notice on counsel for the Plaintiff contemporaneously with this filing.

WHEREFORE, Petitioner/Defendant requests that the above-entitled action be removed from the Saluda County Court of Common Pleas to this Court.

Respectfully submitted,

s/Brandon P. Jones

Brandon P. Jones, FED ID #10884

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Columbia, South Carolina
December 15, 2021